

Debtor: The Northwest Company, LLC

Claim Pg 1 of 7

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

Case Number: 20-10990

FILED**Claim No. 32****June 04, 2020**

By Omni Claims Agent

For U.S. Bankruptcy Court

Southern District of New York

Official Form 410**Proof of Claim**

04/19

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Carefully read instructions included with this Proof of Claim before completing.

Part 1: Identify the Claim

1. Who is the current creditor?		CAB assignee of Suzhou Megatex Import Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor _____	
2. Has this claim been acquired from someone else?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes From whom? _____	
3. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent?		Where should payments to the creditor be sent? (if different)
	CAB assignee of Suzhou Megatex Import & Export 14226 Ventura Blvd. Sherman Oaks, CA 91423		
	Contact Phone 818-990-4800	Contact Phone _____	
	Contact email wthomas@cabcollects.com	Contact email _____	
Uniform claim identifier for electronic payments in chapter 13 (if you use one) _____			
4. Does this claim amend one already filed?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Claim Number on court claims registry (if known) _____ Filed On _____ MM / DD / YYYY	
5. Do you know if anyone else has filed a proof of claim for this claim?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Who made the earlier filing? _____	

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	Last 4 digits of the debtor's account or any number you use to identify the debtor: <u>2658</u>
7. How much is the claim?	\$ <u>\$5,784,205.37</u>	Does this amount include interest or other charges? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).
8. What is the basis of the claim?	Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information <u>Goods sold</u>	
9. Is all or part of the claim secured?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes The claim is secured by a lien on property Nature of property: <input type="checkbox"/> Real Estate If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i> <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: _____ Basis for perfection: _____ Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded). Value of Property: \$ _____ Amount of the claim that is secured: \$ _____ Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7). Amount necessary to cure any default as of the date of the petition: \$ _____ Annual Interest Rate: (when case was filed) _____ % <input checked="" type="checkbox"/> Fixed <input type="checkbox"/> Variable	
10. Is this claim based on a lease?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Amount necessary to cure any default as of the date of the petition. \$ _____
11. Is this claim subject to a right of setoff?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Identify the property: _____
12. Is this claim for the value of goods received by the debtor within 20 days before the commencement date of this case (11 U.S.C. § 503(b)(9)).?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Amount of 503(b)(9) Claim: <u>\$ \$20,669.69</u>	

13. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?☐ No☒ Yes *Check all that apply*

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Amount entitled to priority

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

\$ _____

☐ Up to \$3,025* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

\$ _____

☐ Wages, salaries, or commissions (up to \$13,650*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

\$ _____

☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

\$ _____

☐ Contributions to an employee benefit plan 11 U.S.C. § 507(a)(5).

\$ _____

☒ Other. Specify subsection of 11 U.S.C. § 507(a)(^{post}____) that applies.

\$ 6,808.32

* Amounts are subject to adjustment on 4/01/22 and every 3 years after that for cases begun on or after the date of adjustment.

Part 3: Sign Below

The person completing this proof of claim must sign and date it.

FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

☐ I am the creditor.

☒ I am the creditor's attorney or authorized agent.

☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

☐ I am the guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 6/4/2020
MM / DD / YYYY

Brian L. Mitteldorf

Signature

Print the name of the person who is completing and signing this claim:

Name Brian L. Mitteldorf

First Name

Middle Name

Last Name

Title President

Company Creditors Adjustment Bureau Inc.

Identify the corporate servicer as the company if the authorized agent is a servicer.

14226 Ventura Blvd.

Address

Sherman Oaks, CA 91423

Contact Phone 818-990-4800

Email

blm@cabcollects.com



中国出口信用保险公司
CHINA EXPORT & CREDIT INSURANCE CORPORATION

RefNo.: EC202001420

Trust Deed and Letter of Instruction

We, China Export & Credit Insurance Corporation, hereby confirm our instruction to CREDITORS ADJUSTMENT BUREAU - LC FINANCIAL for debt collection against THE NORTHWEST COMPANY LLC who has defaulted in payment to our client SUZHOU MEGATEX IMPORT & EXPORT CO., LTD under the Sales Invoice(s) No. 19MG5123-1, 19MG5123-3, 19MG5123-4, 19MG5123-5, 19MG5115, 19MG5116, 19MG5123-2, 19MG5106-2, 19MG5117, 19MG5121, 19MG5122, 19MG5124, 19MG5125, 19MG5131-1, 19MG5131-2, 19MG5131-3, 19MG5131-4, 19MG5131-5, 19MG5131-6, 19MG5131-7, 19MG5131-8, 19MG5131-9, 19MG5131-10, 19MG5131-11, 19MG5131-12, 19MG5131-13, 19MG5131-14, 19MG5131-15, 19MG5131-16, 19MG5131-17, 19MG5131-18, 19MG5131-19, 19MG5131-20, 19MG5131-21, 19MG5131-22, 19MG5131-23, 19MG5131-24, 19MG5131-25, 19MG5131-26, 19MG5131-27, 19MG5131-28, 19MG5131-29, 19MG5131-30, 19MG5131-31, 19MG5123-6, 19MG5126, 19MG5127-1, 19MG5127-2, 19MG5119, 19MG5120, 19MG5129, 19MG5130, 19MG4246, 19MG4247, 19MG4248, 19MG4249, 19MG4250, 19MG4251, 19MG4252, 19MG4253, 19MG5123-7, 19MG5128, 19MG5133, 19MG5106-3, 19MG5132-1, 19MG5132-2, 19MG5134, 19MG5135, 19MG5136, 19MG5138, 19MG4254, 19MG4255, 19MG5137, 19MG5139, 19MG5140, 19MG4256, 19MG5141, 19MG4257, 19MG4258, 19MG5142-1, 19MG5142-2, 19MG5143, 19MG5144, 19MG5149, 19MG5145-1, 19MG5146, 19MG5145-2, 19MG5147, 19MG5148-1, 19MG5148-2, 19MG5150-1, 19MG5150-2, 19MG5151, 20MG5301-1, 20MG4201, 19MG5103, 19MG5107-3, 19MG5108-1, 19MG5108-2, 19MG5109, 19MG5110, 19MG5111, 19MG5107-4, 19MG5107-5, 19MG5107-6, 19MG5107-7, 19MG5107-8, 19MG5107-9, 19MG5107-10, 19MG5112, 19MG5113, 19MG5114, 19MG5118-1, 19MG5118-2, 19MG5106-1, 19MG4242, 19MG4244, 19MG4245, 20MG5301-2, signed between THE NORTHWEST COMPANY LLC (the defaulter) and SUZHOU MEGATEX IMPORT & EXPORT CO., LTD (our client)

The total amount hereby instructed is USD 5,177,263.92 (Say US Dollar Five Million One Hundred and Seventy-Seven Thousand Two Hundred and Sixty-Three and Ninety-Two Cents) plus the interest accrued.

We further confirm to grant CREDITORS ADJUSTMENT BUREAU - LC FINANCIAL the full power in exercising such rights and remedies in our or its own name for investigation and consultation in an amicable way and commit ourselves to render any assistance as it may reasonably require of us from time to time.

Authorized Signature:

Title (in capital letter):

Date (day/month/year): 25/04/2020



Collection Trust Deed

Owing to and in connection with the protracted default by THE NORTHWEST COMPANY LLC

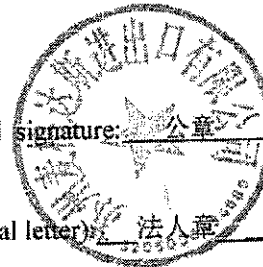
in payment under the Sales Contract or L/C No. 19MG5103 ETC. signed between us and THE NORTHWEST COMPANY LLC, we, SUZHOU MEGATEX IMPORT & EXPORT CO., LTD., hereby confirm our agreement and authorization to **China Export & Credit Insurance Corporation**, of the full rights for collection, on our behalf, against THE NORTHWEST COMPANY LLC for the full amount of USD 5177263.92 (Say United States dollars FIVE MILLION ONE HUNDRED AND SEVENTY SEVEN THOUSAND TWO HUNDRED AND SIXTY THREE AND CENTS NINETY TWO CENTS) plus the interest accrued.

We further confirm our grant to **China Export & Credit Insurance Corporation** the full power in exercising such rights and remedies in our or its own name and give any assistance as it may require of us from time to time.

Authorized signature: _____

Title (in capital letter): _____

Date (day/month/year): 2020/2/11





委托事项明细表

一、委托人基本信息

委托人名称: SUZHOU MEGATEX IMPORT & EXPORT CO., LTD

联系人: MR. ZHU LEI

地址: ROOM 2201, GOLD RIVER CENTER NO.88 SHISHAN ROAD SUZHOU CHINA

电话: 0512-68187870 传真: _____ 电子邮件: _____

二、债务人/开证行基本信息

债务人/开证行名称: THE NORTHWEST COMPANY LLC

联系人: MR. ROSS

地址: 49 BRYANT AVE ROSLYN, NY 11576 UNITED STATES OF AMERICA

电话: _____ 传真: _____ 电子邮件: ross.auerbach@thenorthwet.com

其它信息: _____

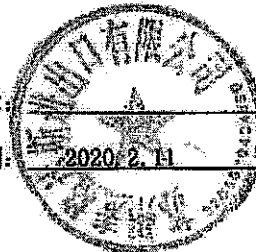
三、委托债务详细情况

合同号/信用 证号 Contract/LC No.	发票号 Invoice No.	提单号 B/L No.	应付款日 Due date	发票金额 Invoice Amount	已收汇金 额Paid Amount	欠款余额 Unpaid Amount
见清单						
合计委托金额 (Total Claim Amount)			小写: USD 5177263.92 大写 (中文): 美元 FIVE MILLION ONE HUNDRED AND SEVENTY SEVEN THOUSAND TWO HUNDRED AND SIXTY THREE AND CENTS NINETY TWO CENTS			

(如需加页, 请加盖骑缝章)

委托人签章:

日期: 2020.2.11



Inv#	PO#	Amount	ETD	ETA
20MG5303	1108626	\$18,669.69	4/4/2020	5/8/2020
20MG5301-1	1108691	\$2,000.00	4/4/2020	5/8/2020

Goods shipped after BK (2020/4/18)

Inv#	PO#	Amount	ETD	ETA
20MG5310	1108489	\$6,808.32	4/30/2020	5/8/2020

Unshipped Goods

PO#	Amount
1108654	\$113,427.68
1108655	\$90,742.14
1108656	\$81,667.93
1108657	\$81,667.93
1108389	\$8,510.40
1108358	\$24,281.48
1108359	\$23,346.57
1108588	\$18,854.91
1108589	\$13,258.85
1108469	\$24,281.48
1108470	\$14,508.31
1108643	\$16,156.02
1108644	\$16,156.02
1108646	\$10,096.25
1108647	\$14,138.78
1108012	\$10,598.60
1108709	\$22,500.00
1108710	\$9,000.00
1108711	\$9,000.00
1108402	\$2,391.20
1108601	\$2,356.90

Total: \$606,941.45